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Attorneys for Plaintiff
Edward A. Friedman

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDWARD A. FRIEDMAN,

Civil Action No. 07cv9620-SHS-AJP

Plaintiff,

ECF CASE

vs.

PRUDENTIAL INSURANCE COMPANY
OF AMERICA,

ORDER

Defendant.

THIS MATTER, opened to the Court by Uscher, Quiat, Uscher & Russo, P.C., attorneys for the Plaintiff Edward A. Friedman, by way of Motion for Summary Judgment, and the Court having heard the arguments of counsel and having considered the papers submitted on behalf of the Plaintiff and the Defendant, and the Court being of the opinion that the following Order should be entered,

IT IS on this _____ day of _____, 2008

ORDERED as follows:

1. The decision of Defendant Prudential to deny long term disability benefits to Plaintiff, is not based on substantial evidence, and is hereby reversed;

2. Plaintiff is totally disabled within the meaning of Prudential Policy No. DG-90754-NY, and is entitled to long term disability benefits of \$12,000.00 per month, retroactive to August 6, 2006, plus interest at the rate of _____ %; and

3. Plaintiff may forthwith file an application for attorney's fees in connection with these proceedings.

HONORABLE SIDNEY H. STEIN, U.S.D.J.

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